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UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION  
2:13-cv-14127-NGE-DRG

RHODERICK T. FONEY,

Plaintiff,

-vs.

Hon. Nancy G. Edmunds

COMMERCIAL RECOVERY SYSTEMS, INC.,

Defendant.

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**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT  
PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)**

**PLEASE TAKE NOTICE** that Plaintiff Rhoderick T. Foney ("Plaintiff"), pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses all claims in this action without prejudice as to Defendant Commercial Recovery Systems, Inc.

**Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:**

**(a) Voluntary Dismissal.**

**(1) By the Plaintiff.**

**(A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:**

**(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment**

Defendant have neither answered Plaintiff's Complaint, nor filed a motion for summary judgment. Accordingly, this matter may be dismissed without prejudice and without an Order of the Court.

Respectfully submitted,

Dated: July 8, 2014

/s/ Stephen A. Thomas  
STEPHEN A. THOMAS P43260  
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### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed using the Court's ECF System and was served upon counsel of record via the Court's ECF System on July 8, 2014.

Dated: July 8, 2014

/s/ Stephen A. Thomas  
STEPHEN A. THOMAS P43260  
Attorney for Plaintiff